

# SAN LEANDRO POLICE DEPARTMENT GUIDELINES FOR SCREENING VIOLATIONS

Section 21455.5(c)(1) of the California Vehicle Code states, in part: **Only a governmental agency, in cooperation with a law enforcement agency, may operate an automated enforcement system. As used in this subdivision, “operate” includes all of the following activities:**

- (1) Developing uniform guidelines for screening and issuing violation and for the processing and storage of confidential information, and establishing procedures to ensure compliance with those guidelines.**

A mandate has not been established requiring these “guidelines” be written or dated. For courtroom testimony purposes, authorized police employees apply the following screening considerations when reviewing red light camera violation:

## Suggested Considerations When Screening Violations

1. Does the incident contain all 4 required photographs?
2. Are the traffic signals in the Scene A & Scene B (pre & post violation) photographs in their red phase?
3. Does Scene A (pre-violation) photo clearly show the vehicle placement before the limit line or crosswalk?
4. Does Scene B (post-violation) clearly show the vehicle entered the intersection?
5. Is the driver’s photo clear enough to identify the driver, either in person or with a soundex photo from DMV?
6. Is the license plate photo clear?
7. Is the data bar information complete?
8. Does the video (if exists) corroborate the photographic evidence?
9. Is the Registered Owner information (name, address) for the driver/vehicle complete? If not, complete the information by conducting a DMV search.

After evaluating an incident, the authorized police employee may accept the incident and issue a citation or reject it for any deficiencies listed in items 1 through 9 or any other mitigating circumstances. The decision to accept or reject an incident is at the discretion of the viewing employee.

When the reviewing employee accepts a violation, a Notice To Appear is generated and mailed by our vendor Redflex Traffic Systems, Inc. Upon notification of a Court trial, a Court package is generated by Redflex. Upon receipt of the Court package from Redflex, the evidence is presented to the Court for prosecution. Upon completion of a Court trial, the Court package is retained and filed in a secured location at the San Leandro Police Department for up to a maximum of six months. Unless an appeal is pending, the Court package is destroyed by a San Leandro Police employee in a manner that protects the confidentiality of the person included in the record. Violations not resulting in a citation will be destroyed by Redflex six months after detection.